

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JUNE 10, 2021**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 10, 2021 via Videoconference.

Mayor Adler called the Council Meeting to order at 10:12 a.m. Council Member Casar off the dais.

**CONSENT AGENDA**

1. Approve the minutes of the Austin City Council special called of May 25, 2021, work session of June 1, 2021, and regular meeting of June 3, 2021.

**The motion to approve the minutes of the Austin City Council special called meeting of May 25, 2021, work session of June 1, 2021, regular meeting of June 3, 2021 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 2 was pulled for discussion.**

3. Authorize negotiation and execution of an interlocal agreement with Texas A&M AgriLife Research to develop an updated Land Management Plan for the City's Water Quality Protection Lands program. June 2, 2021 - Recommended by the Water and Wastewater Commission on a 9-0 vote. Strategic Outcome(s): Health and Environment.

**The motion authorizing the negotiation and execution of an interlocal agreement with Texas A&M AgriLife Research was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

4. Approve an ordinance waiving the requirement in City Code Section 25-1-502 (Amendment Review) for Planning Commission review of Land Development Code amendments to expedite implementation of water conservation strategies in the Water Forward Plan. Strategic Outcome(s): Government that Works for All.

**Ordinance No. 20210610-004 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 5 was pulled for discussion.**

6. Authorize award and execution of a construction contract with Underground Water Solutions Co. (MBE) for the West 9th and 12th Streets Water and Wastewater Renewal project in the amount of \$1,886,023.24 plus a \$188,602.32 contingency, for a total contract amount not to exceed \$2,074,625.56. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 73.58% MBE and 2.40% WBE.]. June 2, 2021 - Recommended by the Water and Wastewater Commission on a 9-0 vote. District(s) Affected: District 9. Strategic Outcome(s): Health and Environment

**The motion authorizing the award and execution of a construction contract with Underground Water Solutions Co. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

7. Authorize negotiation and execution of a professional services agreement with Allegis Group Holdings, Inc. (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP312 to provide engineering services for the AE Staff Augmentation, Engineering and Related Engineering Services for Electric System Engineering and Technical Services Rotation List in an amount not to exceed \$25,875,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.] Strategic Outcome(s): Safety; Government That Works for All

**The motion authorizing the negotiation and execution of a professional services agreement with Allegis Group Holdings, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

8. Authorize award and execution of a construction contract with Mechanical & Process Systems, LLC, (MBE) for the Davis Water Treatment Plant Gas Heater Replacements project in the amount of \$377,777 plus a \$37,777.70 contingency, for a total contract amount not to exceed \$415,554.70. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 69.20% MBE and 1.74% WBE participation.] June 2, 2021 - Recommended by the Water and Wastewater Commission on a 9-0 vote. District(s) Affected: District 10. Strategic Outcome(s): Health and Environment

**The motion authorizing the award and execution of a construction contract with Mechanical & Process Systems, LLC was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

9. Authorize award and execution of a construction contract with Underground Water Solutions Co. (MBE) for the Rosedale North Water and Wastewater Pipeline Renewal Phase 2 project in the amount of \$2,776,789.92 plus a \$277,678.99 contingency, for a total contract amount not to exceed \$3,054,468.91. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 79.99% MBE and 1.31% WBE participation.] June 2, 2021 - Recommended by the Water and Wastewater Commission on a 9-0 vote. District(s) Affected: District 7. Strategic Outcome(s): Health and Environment

**The motion authorizing the award and execution of a construction contract with Underground Water Solutions Co. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

10. Authorize execution of change order #8 to the construction contract with M.A. Smith Contracting Company, Inc., for the Boggy Creek - MLK TOD Stormwater Conveyance Improvements Phase 1 project in the amount of \$503,434.95, for a total contract amount not to exceed \$3,466,718.44. [Note: This change order was awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date 9.99% MBE and 2.32% WBE.] District(s) Affected: District 5. Strategic Outcome(s): Mobility; Safety  
**The motion authorizing the execution of change order #8 to the construction contract with M.A. Smith Contracting Company, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 11 was pulled for discussion.**

12. Approve an ordinance setting the assessment rate and approving a proposed 2022 assessment roll for the East Sixth Street Public Improvement District. Related to Item No. 21-1952. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.  
**Ordinance No. 20210610-012 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
13. Approve an ordinance setting the assessment rate and approving a proposed 2022 assessment roll for the South Congress Preservation and Improvement District; this item is related to Item No. 21-1954. District(s) Affected: District 9. Strategic Outcome(s): nEconomic Opportunity and Affordability.  
**Ordinance No. 20210610-013 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
14. Approve an ordinance setting the assessment rate and approving a proposed 2022 assessment roll for the Austin Downtown Public Improvement District. Related to Item No. 21-1973. District(s) Affected: District 4, District 9. Strategic Outcome(s): Economic Affordability and Opportunity.  
**Ordinance No. 20210610-014 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
15. Authorize the negotiation and execution of an agreement with Dianne Marie Sonnenberg for artwork for the Regional Mobility Program Anderson Mill Road Art in Public Places Project, on Anderson Mill Road from Spicewood Parkway to US 183, in an amount not to exceed \$80,000. District(s) Affected: District 6. Strategic Outcome(s): Economic Opportunity and Affordability, Culture and Lifelong Learning.  
**The motion authorizing the negotiation and execution of an agreement with Dianne Marie Sonnenberg was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
16. Approve a resolution authorizing the City Manager and the Chief Financial Officer to execute the Terms of Joint Powers Agreement on Transfer of 'November 2020 Proposition A' Property Tax

Revenue interlocal agreement with the Austin Transit Partnership as part of the implementation of Project Connect. Strategic Outcome(s): Government that Works for All; Mobility

**This item was postponed to July 29, 2021 on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 17 was pulled for discussion.**

18. Authorize negotiation and execution of an amendment to the legal services agreement with Winstead PC for outside counsel services for the Austin Economic Development Corporation in the amount of \$88,000 for a total contract amount not to exceed \$150,000. Strategic Outcome(s): Economic Affordability and Opportunity.

**The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Winstead PC was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

19. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple approximately 2.343 acres (102,060 sq. ft. of land), being out of The James P. Wallace Survey No. 18, Abstract No. 792, in the City Of Austin, Travis County, Texas, said 2.343 acres being all of that tract of land described as 1.921 acres and 0.42 of one acre conveyed to C Hunts Icehouse LLC by Special Warranty Deed dated October 19, 2015, as recorded in Document No. 2015170464 located at 9611 and 9613 McNeil Road, Austin, Texas, from C Hunts Icehouse LLC, a Texas limited liability company for a total amount not to exceed \$2,352,500.00, establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3 (Relocation Benefits). District(s) Affected: District 7. Strategic Outcome(s): Mobility, Safety.

**Ordinance No. 20210610-019 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

20. Authorize negotiation and execution of an exclusive negotiation agreement with Tech 3443 RIC (Austin) Development for acquisition of approximately 29 acres and improvements located at 3443 Ed Bluestein Boulevard in the Tech 3443 Development, and payment of earnest money in an amount not to exceed \$500,000. District(s) Affected: District 1. Strategic Outcome(s): Government that Works for All.

**The motion authorizing the negotiation and execution of an exclusive negotiation agreement with Tech 3443 RIC (Austin) Development was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 21 was pulled for discussion.**

22. Approve a resolution authorizing the application for and acceptance of \$411,299 in grant funding from the Texas Motor Vehicle Crime Prevention Authority to continue the Austin Police Department Auto Burglary and Theft Interdiction Project. Strategic Outcome(s): Safety

**Resolution No. 20210610-022 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

23. Ratify an agreement with Central Texas Allied Health Institute to provide COVID-19 vaccinations and other COVID-19 response services to Austin/Travis County residents in an amount not to exceed \$602,448, for a five-month term through September 30, 2021. Strategic Outcome(s): Health and Environment.  
**The motion to ratify an agreement with Central Texas Allied Health Institute was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
24. Ratify an agreement with El Buen Samaritano to provide financial assistance to persons who have been impacted by COVID-19, in an amount not to exceed \$389,002, for a five-month term through September 30, 2021. Strategic Outcome(s): Health and Environment and Economic Opportunity and Affordability.  
**The motion to ratify an agreement with El Buen Samaritano was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
25. Authorize negotiation and execution of an agreement with Project Prosper of Florida to conduct survey data collection and analysis for the Office of Violence Prevention, for a twelve-month term through June 30, 2022, in an amount not to exceed \$170,500. Strategic Outcome(s): Safety.  
**The motion authorizing the negotiation and execution of an agreement with Project Prosper of Florida was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
26. Authorize negotiation and execution of an agreement with Caritas of Austin to provide permanent supportive housing to disabled individuals who have experienced chronic homelessness, in an amount not to exceed \$2,992,800 for the term July 1, 2021 to September 30, 2022, with three 12-month extension options each in an amount not to exceed \$2,671,680, for a total agreement amount not to exceed \$11,007,840. Strategic Outcome(s): Economic Opportunity and Affordability.  
**This item was postponed indefinitely on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
27. Authorize award of a multi-term contract with A & V Holdings Midco, LLC. d/b/a AVI-SPL, LLC, formerly known as Audio Fidelity Communications Corporation d/b/a Whitlock, to provide visual display system monitors, mounts, and services, for up to five years for a total contract amount not to exceed \$1,928,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility.  
**The motion authorizing the award of a multi-term contract with A & V Holdings Midco, LLC doing business as AVI-SPL, LLC, formerly known as Audio Fidelity Communications Corporation doing business as Whitlock was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
28. Authorize award of a multi-term contract with Equipment Depot Texas, Inc., to provide maintenance, inspection, and repair of aerial lifts, for up to five years for a total contract amount

not to exceed \$500,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.

**The motion authorizing the award of a multi-term contract with Equipment Depot Texas, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

29. Authorize negotiation and execution of a multi-term contract with FlashParking, Inc. d/b/a Klever Logic, Inc., to provide a parking access and revenue control system, for up to seven years for a total contract amount not to exceed \$1,609,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

**The motion authorizing the negotiation and execution of a multi-term contract with FlashParking, Inc. doing business as Klever Logic, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

30. Authorize negotiation and execution of a multi-term cooperative contract with Geographic Information Services, Inc., to provide land records maintenance and services, for up to five years for a total contract amount not to exceed \$600,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

**The motion authorizing the negotiation and execution of a multi-term contract with cooperative contract with Geographic Information Services, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

31. Authorize negotiation and execution of three multi-term cooperative contracts with Delta Fire & Safety Inc. d/b/a Delta Industrial Service & Supply, Metro Fire Apparatus Specialist Inc., and North America Fire Equipment Co Inc. d/b/a NAFECO, for bunker gear, each for up to three years for total contract amounts not to exceed \$2,538,000, divided among the contractors. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.

**The motion authorizing the negotiation and execution of three multi-term cooperative contracts with Delta Fire & Safety Inc. doing business as Delta Industrial Service & Supply, Metro Fire Apparatus Specialist Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

32. Authorize negotiation and execution of a cooperative contract with Davenport Aviation, Inc., for a helicopter searchlight, in an amount not to exceed \$88,834. (Note: This procurement was

reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.

**The motion authorizing the negotiation and execution of a cooperative contract with Davenport Aviation, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

33. Authorize negotiation and execution of a multi-term contract with Life Insurance Company of North America, or one of the other qualified offerors to Request For Proposals RFP 5800 MMO3010, to provide fully insured short-term disability and long-term disability insurance, for up to 66 months for a total contract amount not to exceed \$13,368,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

**The motion authorizing the negotiation and execution of a multi-term contract with Life Insurance Company of North America was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

34. Authorize negotiation and execution of a multi-term cooperative contract with Wright Express Financial d/b/a Wright Express, to provide fuel credit card services, for up to 38 months for a total contract amount not to exceed \$2,194,398. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility.

**The motion authorizing the negotiation and execution of a multi-term cooperative contract with Wright Express Financial doing business as Wright Express was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

35. Authorize negotiation and execution of a multi-term contract with Avesis Third Party Administrators, Inc., or one of the other qualified offerors to Request for Proposal 5800 LMI3000, to provide City employees and retirees with an employee paid vision plan, for up to 66 months for a total contract amount not to exceed \$6,840,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

**The motion authorizing the negotiation and execution of a multi-term contract with Avesis Third Party Administrators, Inc. was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

36. Authorize negotiation and execution of a multi-term contract with SePRO Corporation, to provide sediment and water quality testing and management and treatment of toxic algae, for up to five

years for a total contract amount not to exceed \$1,484,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment; Safety.

**The motion authorizing the negotiation and execution of a multi-term contract with SePRO Corporation was approved on consent on Council Member Kelly’s motion, Mayor Pro Tem Harper-Madison’s second on an 11-0 vote.**

- 37. Approve a resolution directing the publication of an Official Notice of Intention to Issue \$69,955,000 City of Austin, Texas, Certificates of Obligation, Series 2021. Strategic Outcome(s): Government that Works for All.

**Resolution No. 20210610-037 was approved on consent on Council Member Kelly’s motion, Mayor Pro Tem Harper-Madison’s second on an 11-0 vote.**

- 38. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

**The following appointments and certain related waivers to citizen boards and commissions was approved on consent on Council Member Kelly’s motion, Mayor Pro Tem Harper-Madison’s second on an 11-0 vote:**

**Asian American Quality of Life Advisory Commission**

**Meena Mutyala** **Council Member Alter**

**Austin-Travis County Food Policy Board**

**Errol Schweizer** **Mayor Adler**

**Building and Standards Commission**

**Edgar Farrera** **Council Member Ellis**

**Code and Ordinances Joint Committee**

**Claire Hempel** **Planning Commission**

**Commission on Immigrant Affairs**

**Sara Becker** **Council Member Kelly**

**Human Rights Commission**

**Kimberly Brienzi** **Council Member Kelly**

**Music Commission**

**Scott Strickland** **Council Member Ellis**

**Zoning and Platting Commission**

**Betsy Greenberg** **Council Member Kelly**

**Removal of Board Members**

**Parks and Recreation Board**

**Kate Mason Murphy** **Council Member Renteria**

**Waivers**

**Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Errol Schweizer on the Austin-Travis County Food Policy Board.**

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Patrice Pike on the Music Commission. The waiver includes absences through today’s date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Stuart Sullivan on the Music Commission. The waiver includes absences through today’s date.

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before July 16, 2021:

Sade Ogunbode	Building and Standards Commission
Juan Munoz	Construction Advisory Committee
Adrenne Mendoza	Commission on Veterans Affairs
Sandra Chavez	Lesbian Gay Bisexual Transgender and Queer Quality of Life Advisory Commission
Elizabeth Mueller	Building and Standards Commission
Lourdes Zuniga	Hispanic/Latino Quality of Life Advisory Commission

- 39. Approve a resolution directing the City Manager to create a prioritization matrix to identify and utilize City-owned land for strengthening our local and regional food system; complete a needs assessment and plan to address food insecurity and access for individuals experiencing homelessness; initiate a planning process and multi-lingual engagement strategy for the creation of the Austin Travis County Food System Plan; review best practices regarding bond financing or other financial mechanisms to support our local and regional food system; and pledge the City's support in advance of the Conference of Parties of the United Nations Climate Change Conference in Glasgow. Council Sponsors: Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member Alison Alter, Council Member Vanessa Fuentes, Council Member Ann Kitchen, Council Member Leslie Pool.

**Resolution No. 20210610-039 was approved on consent on Council Member Kelly’s motion, Mayor Pro Tem Harper-Madison’s second on an 11-0 vote. Council Member Kelly abstained.**

- 40. Approve a resolution supporting federal legislation to keep families together and provide a path to citizenship for immigrants by urging the passage of the American Families United Act, the American Dream and Promise Act of 2021, and the Farm Workforce Modernization Act of 2021. Council Sponsors: Council Member Gregorio Casar, Council Member Vanessa Fuentes, Mayor Steve Adler, Council Member Sabino 'Pio' Renteria, Mayor Pro Tem Harper-Madison.

**Resolution No. 20210610-040 was approved on consent on Council Member Kelly’s motion, Mayor Pro Tem Harper-Madison’s second on an 11-0 vote. Council Member Kelly abstained.**

- 41. Approve a resolution directing the City Manager to provide an update regarding implementation of the recommendations included in the January 4, 2021 staff response memo to Resolution No.

20200220-45 related to administrative processes for urban trails; directing the City Manager to present ordinances for City Council consideration amending the Land Development Code regarding urban trails; and recommending that the City Manager add representatives from Austin Energy and Austin Water to the Urban Trails Stakeholder Group to generate recommendations for safe, coordinated leveraging of utility easements for urban trail use and provide a report on those recommendations to City Council. Council Sponsors: Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Mayor Pro Tem Natasha Harper-Madison.

**Resolution No. 20210610-041 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

42. Approve a resolution directing the City Manager to negotiate a lease agreement, for a term of not less than 30 years, with a renewal option, with the Central Texas Red Cross for the real property located at 2218 Pershing Drive, Austin, Texas 78723. Council Sponsors: Mayor Pro Tem Natasha Harper-Madison, Council Member Alison Alter, Council Member Mackenzie Kelly, Council Member Ann Kitchen.

**This item was withdrawn.**

43. Set a public hearing to consider the East Sixth Street Public Improvement District's 2022 proposed assessments. Suggested date: July 29, 2021 at Austin City Hall, 301 W. Second Street, Austin, Texas. Related to Item 21-1951. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was set for Thursday, July 29, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

44. Set a public hearing to consider the South Congress Preservation and Improvement District 2022 proposed assessments. Suggested date: July 29, 2021 at Austin City Hall, 301 W. Second Street, Austin, Texas. Related to Item 21-1953. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was set for Thursday, July 29, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

45. Set a public hearing to consider the Austin Downtown Public Improvement District 2022 proposed assessments. Suggested date: July 29, 2021 at Austin City Hall, 301 W. Second Street, Austin, Texas. Related to Item 21-1972. Strategic Outcome(s): Economic Affordability and Opportunity.

**The public hearing was set for Thursday, July 29, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

46. Set a public hearing to consider an ordinance amending City Code Chapter 25-9 (Water and Wastewater) establishing water benchmarking, expanding reclaimed water connection requirements and adding onsite reuse requirements. (Suggested date: July 29, 2021, at Austin City Hall, 301 W. Second Street, Austin, Tx). Strategic Outcome(s): Government that Works for All.

The public hearing was set for Thursday, July 29, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.

Items 77 and 78 were pulled for discussion.

79. Approve an ordinance amending the Fiscal Year 2020-2021 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$20,555,865 in public assistance grant funds from the Federal Emergency Management Agency via the Texas Department of Emergency Management for COVID-19 vaccination distribution costs. Strategic Outcome(s): Government that Works for All.  
**Ordinance No. 20210610-079 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
80. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$4,087,502 in grant funds from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, for the delivery of COVID-19 Vaccine Outreach. Strategic Outcome(s): Health and Environment.  
**Ordinance No. 20210610-080 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
81. Authorize the negotiation and execution of an interlocal agreement with University of Texas at Austin to implement and evaluate research-driven pilot projects to improve the well-being of long-term care staff in Travis County, for a four-month term through September 30, 2021, in an amount not to exceed \$90,000. Strategic Outcome(s): Health and Environment.  
**The motion authorizing the negotiation and execution of an interlocal agreement with University of Texas at Austin was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
82. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$488,000 in additional grant funds from the Texas Department of State Health Services for the HIV Prevention Grant. Strategic Outcome(s): Health and Environment.  
**Ordinance No. 20210610-082 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.**
83. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$530,000 in additional grant funds from the Texas Department of State Health Services for the STD Control Grant. Strategic Outcome(s): Health and Environment.  
**Ordinance No. 20210610-083 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

84. Approve a resolution identifying the City's designated representatives and authorizing the designated representatives to execute documents with the Texas Water Development Board related to a Flood Infrastructure Fund grant for up to \$4,445,825. Strategic Outcome(s): Safety.  
**Resolution No. 20210610-084 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 85 was pulled for discussion.**

86. Approve a resolution directing the City Manager to negotiate a lease agreement, for a term of not less than 30 years, with a renewal option, with The American National Red Cross for the real property located at 2218 Pershing Drive, Austin, Texas 78723. Council Sponsors: Mayor Pro Tem Natasha Harper-Madison, Council Member Alison Alter, Council Member Mackenzie Kelly, Council Member Ann Kitchen.  
**Resolution No. 20210610-086 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

87. Approve a resolution directing the City Manager to add the Texas Farmers Market at Mueller as a City co-sponsored event, to waive fees in an amount not to exceed \$20,000 for this fiscal year, and include the Texas Farmers Market at Mueller as one of the events for which fees are waived annually with the adoption of the City's budget. Council Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Vanessa Fuentes, Council Member Gregorio Casar.  
**Resolution No. 20210610-087 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

88. Approve an ordinance amending Exhibit C to the Fiscal Year 2020-2021 Schedule of Fees, Fines, and Other Charges to be charged or set by the City (Ordinance No. 20200812-002), to add the Texas Farmers' Market at Mueller as a City co-sponsored event for which Council waives fees and reimburses costs. Council Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Vanessa Fuentes, Council Member Gregorio Casar.  
**Ordinance No. 20210610-088 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 89 was pulled for discussion.**

90. Approve a resolution amending Council's previous authorization to negotiate and execute all documents and instruments necessary or desirable to purchase in fee simple approximately 1.2230 acres of land and a building containing approximately 28,902 square feet located at 13311 Burnet Road, Austin, TX 78727 from Visvanath LP, for a total amount not to exceed \$6,500,000, including closing costs. Council Sponsors: Council Member Leslie Pool, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Mackenzie Kelly, Council Member Kathie Tovo.  
**Resolution No. 20210610-090 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote. Council Member Alter voted nay.**

**Item 91 was pulled for discussion.**

92. Approve a resolution directing the City Manager to allocate \$2 million in American Rescue Plan Act funding to the Nonprofit Relief Grant Program for the purpose of supporting Austin's nonprofit organizations engaged in arts and culture. Council Sponsors: Council Member Alison Alter, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Paige Ellis.

**Resolution No. 20210610-092 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 93 was pulled for discussion.**

94. Approve third reading of an ordinance setting the tax exemption for the percentage-based property tax (ad valorem) residence homestead exemption at the current level of 10% of the assessed value or a different value that Council may establish up to a maximum of 20% in accordance with state law. Council Sponsors: Mayor Steve Adler, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Paige Ellis, Council Member Sabino 'Pio' Renteria, Council Member Leslie Pool, Council Member Mackenzie Kelly.

**Ordinance No. 20210610-094 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

95. Approve a resolution directing the City Manager to review and determine the appropriateness of reducing and/or abating portions of the rent for market-rate lessees in city-owned buildings based on market data related to lease abatements, reductions, and deferrals in comparable and/or nearby buildings due to COVID-19 conditions and/or other factors. Council Sponsors: Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Alison Alter.

**Resolution No. 20210610-095 was approved on consent on Council Member Kelly's motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**Item 96 was pulled for discussion.****PUBLIC HEARINGS**

101. Conduct a public hearing and approve an ordinance for the full-purpose annexation of approximately 28.3 acres located in Travis County near 11122, 11204, 11208, and 11216 Cameron Road, and ratify an agreement with the owner of the land for the provision of services. The property is adjacent to Austin Council District 1. Strategic Outcome(s): Government that Works for All

**This item was postponed indefinitely.**

**EMMINENT DOMAIN**

47. Approve a resolution authorizing the filing of eminent domain proceedings for the Crosstown Tunnel Centralized Odor Control Facility Project for the public use of an odor control facility to reduce order and corrosion, the acquisition of one Fee Simple tract being approximately 2.9219

acres of land, and one Drainage and Access Easement being approximately 9,463 square feet of land, both being out of the James Burleson Survey No. 19, Abstract No. 4, Travis County, Texas, and out of a certain 143.144 acre tract of land, conveyed to Karlin Tracor Lane, LLC, a Delaware Corporation, per Special Warranty Deed 2020139775, Official Public Records, Travis County, Texas, in the amount of \$2,186,295. The owner of the needed property is Karlin Tracor Lane, LLC, a Delaware limited liability company. The property is located within District 1, at 6801 FM 969, Austin, Texas 78724. The general route of the Crosstown Tunnel Centralized Odor Control Facility is approximately 0.5 miles due East of the US 183 and FM 969 highway intersection. The facility is proposed to be located on the South side of FM 969. District(s) Affected: District 1. Strategic Outcome(s): Health and Environment.

**Resolution No. 20210610-047 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**

48. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Corridor Mobility Program's South Lamar Boulevard Corridor Project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of a Sidewalk, Trail, and Recreational Easement consisting of approximately 0.0018 of one acre (78 square foot) parcel, out of the Isaac Decker League Survey No. 20, Abstract No. 8, in the City of Austin, Travis County, Texas, being out of that tract described as 0.252 of one acre conveyed to Mirabeau Office Partners, LLC by deed, executed February 8, 2017, as recorded in Document No. 2017023237, Official Public Records, Travis County, Texas in the amount of \$40,490. The owner of the needed property is Mirabeau Office Partners, LLC, a Texas limited liability company. The property is located within District 5, at 2340 S Lamar Blvd., Austin, Texas 78704. The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. District(s) Affected: District 5. Strategic Outcome(s): Mobility.

**Resolution No. 20210610-048 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**

49. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Corridor Mobility Program's, South Lamar Boulevard Corridor Project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of a Sidewalk, Trail and Recreation Easement consisting of approximately 0.0064 of one acre (280 square foot) parcel, out of the Isaac Decker League Survey No. 20, abstract No. 8, in the City of Austin, Travis County, Texas, being out of a portion of Lot 12, Evergreen Heights, a subdivision of record in Volume Z, Page 614, Plat Records, Travis County, Texas, said portion of Lot 12 being described as 0.334 of one acre conveyed to SFC Software Factory, LLC by Deed, executed May 6, 2019, as recorded in Document No. 2019064614, Official Public Records, Travis County, Texas, and being further described in Document No. 2013165748, Official Public Records, Travis County, Texas in the amount of \$48,742.00. The owner of the needed property is SFC Software Factory, LLC, a Texas limited liability company. The property is located within District 5, at 1615 S. Lamar Blvd., Austin, Texas 78704. The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. District(s) Affected: District 5. Strategic Outcome(s): Mobility.

**Resolution No. 20210610-049 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**

50. Approve a resolution authorizing the filing of eminent domain proceedings for the South Lamar Boulevard Corridor Mobility Program's South Lamar Boulevard Corridor Project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of a Sidewalk, Trail, and Recreational Easement consisting of approximately 0.0131 of one acre (569 square foot) parcel, out of the Isaac Decker League No. 20, Abstract No. 8, and the Henry P. Hill League No. 21, Abstract No. 14, in the City of Austin, Travis County, Texas, being out of that tract described as 0.585 of one acre conveyed to Newmiller-Craig Revocable Living Trust by Deed, executed February 7, 2021, as record in Document No. 2011020104, Official Public Records, Travis County, Texas, in the amount of \$140,741.00. The owner of the needed property is Nancy Newmiller and Nora Craig, Trustees, Newmiller-Craig Revocable Living Trust, dated December 13, 2010. The property is located within District 5, at 2401 S Lamar Blvd., Austin, Texas 78704. The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. District(s) Affected: District 5. Strategic Outcome(s): Mobility.  
**Resolution No. 20210610-050 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**
51. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Corridor Mobility Program's South Lamar Boulevard Corridor Project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of a Sidewalk, Trail, and Recreational Easement consisting of approximately 0.0050 of one acre (216 square foot) parcel, out of the Henry P. Hill League No. 21, Abstract No. 14, in the City of Austin, Travis County, Texas, being out of that tract conveyed to 2418 S. Lamar Blvd., Ltd. by Deed, executed September 14, 2018, as recorded in Document No. 2018148424, Official Public Records, Travis County, Texas, and being further described as 1.53 acres in Volume 3618, Page 35, Deed Records, Travis County, Texas in the amount of \$29,395.00. The owner of the needed property is 2418 S. Lamar Blvd., Ltd. The property is located within District 5, at 2418 S Lamar Blvd., Austin, Texas 78704. The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. District(s) Affected: District 5. Strategic Outcome(s): Mobility.  
**Resolution No. 20210610-051 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**
52. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Corridor Mobility Program's South Lamar Boulevard Corridor Project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of a Sidewalk, Trail, and Recreational Easement consisting of approximately 0.0192 of one acre (838 square foot) parcel, out of the Henry P. Hill League No. 21, Abstract No. 14, in the City of Austin, Travis County, Texas, being out of Lot 2, Jay Lynn Johnson Subdivision Number Two, a subdivision of record in Book 82, Pages 309-310, Plat Records, Travis County, Texas, said Lot 2 conveyed to La Tierra de Simmons Familia, Ltd. by deed, executed July 22, 2009, as recorded in Document No. 2009124819, Official Public Records, Travis County, Texas in the amount of \$141,415. The owner of the needed property is La Tierra de Simmons Familia, Ltd., a Texas limited partnership. The property is located within District 5, at 2901 S. Lamar

Blvd., Austin, Texas 78704. The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. District(s) Affected: District 5. Strategic Outcome(s): Mobility.

**Resolution No. 20210610-052 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**

53. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Corridor Mobility Program's South Lamar Boulevard Corridor Project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of a Sidewalk, Trail, and Recreational Easement consisting of approximately 0.0195 of one acre (850 square foot) parcel, out of the Henry P. Hill League No. 21, Abstract No. 14, in the City of Austin, Travis County, Texas, being out of that tract described as 0.782 of one acre conveyed to La Tierra de Simmons Familia, Ltd. by deed, executed July 22, 2009, as recorded in Document No. 2009124822, Official Public Records, Travis County, Texas in the amount of \$128,876. The owner of the needed property is La Tierra de Simmons Familia, Ltd., a Texas limited partnership. The property is located within District 5, at 2801 S. Lamar Blvd., Austin, Texas 78704. The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. District(s) Affected: District 5. Strategic Outcome(s): Mobility.

**Resolution No. 20210610-053 was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**

### AUSTIN HOUSING AND FINANCE CORPORATION MEETING

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 12:12 p.m. Council Member Kelly was off the dais. See separate minutes.**

54. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

**Mayor Adler reconvened the Council Meeting at 12:17 p.m.**

### CITIZEN COMMUNICATIONS

Susana Almanza- Homeless should not be placed in underserved overburden communities. City of Austin has numerous commercial sites it can transform as camping sites until it builds low-income & public housing.

Leslie Rucker- Homeless Campsights in Cedar Park

Edwin Mehrmann- Apartment break in - police response time. – **Not present.**

### DISCUSSION ITEMS

85. Approve a resolution directing the City Manager to engage in dialogue with Williamson, Travis, and Hays County and social service providers in these counties about homelessness-related

opportunities of interest to the City and respective County, including real estate transactions and other mutual investments. Council Sponsors: Council Member Mackenzie Kelly, Council Member Leslie Pool, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Alison Alter.

**Resolution No. 20210610-085 was approved on Council Member Kelly's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was off the dais.**

**Mayor Adler recessed the meeting at 12:37 p.m. without objection.**

**Mayor Adler reconvened the Council Meeting at 1:46 p.m. Council Members Alter, Casar, and Fuentes were off the dais.**

### **PUBLIC HEARINGS CONTINUED**

55. Conduct a public hearing to receive public comment on the City's Draft Fiscal Year 2021-2022 Action Plan that will be submitted to the U.S. Department of Housing and Urban Development as part of the City's application for federal funding. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was conducted and a motion to close the public hearing on Mayor Adler's motion was approved without objection. Council Members Alter, Casar, and Fuentes were off the dais.**

### **DISCUSSION ITEMS CONTINUED**

11. Authorize negotiation and execution of an interlocal agreement with the Austin Economic Development Corporation to provide assistance in engaging and supporting development projects and leveraging the City's investments or assets to achieve inclusive economic and community development outcomes and priorities, in an amount not to exceed \$15,000,000. Strategic Outcome(s): Economic Opportunity and Affordability.

**A motion to authorize the negotiation and execution of an interlocal agreement with the Austin Economic Development Corporation was made on Mayor Adler's motion.**

**The following amendments were offered by Council Member Kitchen and accepted without objection. The amendments were:**

**Amend the first paragraph of Addendum No. 2, *Cultural Trust Project*, 1. Description of Project, to read:**

- "1. Description of Project.**

**The City authorizes and directs the AEDC to proceed with the pursuit, planning, assessment, promotion, procurement, acquisition, development, construction and operation of creative spaces and facilities as part of a cultural trust to support the preservation of creative space for the benefit of the public, supporting artists and organization of the arts, the preservation of historic and iconic cultural buildings and spaces for creative and cultural uses, iconic venue projects described**

in Resolution 2021203—046, and the overall promotion of creative and cultural arts within the City (the “Cultural Trust Project”). Such undertakings shall include, without limitation, the following:”

Amend subsection (d) of Addendum No. 2, *Cultural Trust Project*, 1. Description of Project, to read:

“(d) Hotel Occupancy Tax (“HOT”) Funds. The City has appropriated HOT funds for Iconic Venues to be utilized by the AEDC. These funds must be administered in accordance with the requirements of Section 8.3 of the Interlocal Agreement. As of the effective date of the Interlocal Agreement, these funds are in an initial amount of \$2.4 million. The work is to be completed using these funds, and or/other potential funding sources for a total funding amount of \$15M, and in accordance with the provisions set forth in Resolution 20201203-046, Exhibit A to this Addendum 2.”

Amend the first paragraph of Addendum No. 3, *Cultural Trust City Facilities Project*, 1. Description of Project, to read:

1. Description of Project.

The City Facilities shall be owned by the City. The City Facilities at all times shall be dedicated to the creation, exhibition, or preservation of art and creative expression, shall be operated and managed in accordance with prior Council actions, including specifically the contract with the voters as it relates to the City Facilities, and no portion of the City Facilities shall be used for private or economic development purposes. The City Facilities shall also be operated and managed in accordance with the contract with the voters as it relates to these facilities and so as not to impair the tax-exempt status of the bonds issued to finance the City Facilities. Upon approval of Council, the City Facilities shall be leased by the City to the AEDC to be used for the Cultural Trust and operated for the exclusive benefit of the City; provided, that prior to the execution of the lease, if the City’s General Obligation Bond and Tax Counsel (City’s bond and tax counsel) advises the City that the terms of the lease would result in the bonds not qualifying or no longer qualifying as tax-exempt obligations under the Internal Revenue Code of 1986 (the Code), the City Facilities may be operated by the AEDC pursuant to a qualified management agreement that the City’s bond and tax counsel determines would not cause the interest on the bonds to be includable in gross income for purposes of the Code. Without the prior consent of Council, the AEDC may not convey, mortgage, or otherwise transfer or encumber its rights to the City Facilities.

When the AEDC conducts the procurement for the facilities funded with the tax-exempt bonds, the solicitation from the AEDC for the use of the bond funds will encourage respondents to propose a broad range of scenarios for consideration, including lease/purchase options. Any proposed scenario will be subject to legal

review and, like all other proposals, the deal structure's level of risk will be considered in evaluating the merits of the proposal.

At such time as the bonds issued for the purpose of financing the City Facilities are no longer outstanding in accordance with their terms, the city may sell or otherwise transfer the City Facilities to the AEDC or other purchaser consistent with the laws of the State of Texas relating to sale of city property and the direction of Council.”

The following amendment was offered by Council Member Tovo and accepted without objection. The amendment was:

Amend Section B of the RECITALS clause of the Interlocal Agreement to add historic preservation as an example of socially beneficial real estate and economic development activities.

The following amendment was offered by Council Member Alter and accepted without objection. The amendment was:

Add the following language to 6.1 Organization and Operation of the AEDC, part (a):

“The AEDC will provide the City Manager or the City Manager’s designee, and copy the Mayor and Council, with a substantially final copy of any interlocal agreement that AEDC intends to enter into, even if the City is not a party.”

The motion authorizing the negotiation and execution of an interlocal agreement, as amended above, with the Austin Economic Development Corporation was approved on Mayor Adler’s motion on an 11-0 vote.

## **ZONING ORDINANCES / RESTRICTIVE COVENANTS**

57. C814-2020-0132 - Central Health PUD - Approve an ordinance amending City Code Title 25 by rezoning property locally known as 601 East 15th Street (Waller Creek Watershed). Applicant's Request: To rezone from public (P) district zoning to planned unit development (PUD) district zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved on May 20, 2021, with conditions. Vote: 9-0-2, Council Members Alter and Tovo abstained. Owner/Applicant: Travis County Healthcare District dba Central Health (Mike Geeslin). Agent: City of Austin, Housing and Planning Department (Jerry Rusthoven). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 1.

**This item was withdrawn.**

102. C814-2020-0132 - Central Health PUD - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 601 East 15th Street (Waller Creek Watershed). Applicant's Request: To rezone from public (P) district zoning to planned unit development (PUD) district zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved on May 20, 2021, with conditions. Vote: 9-0-2, Council Members Alter and Tovo

abstained. Owner/Applicant: Travis County Healthcare District dba Central Health (Mike Geeslin). Agent: City of Austin, Housing and Planning Department (Jerry Rusthoven). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-102, with the following amendment, for planned unit development (PUD) district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**The amendment was to amend Part 7. Environmental to add a new section B to read:**

**“B. The landowners shall comply with City regulations regarding the use of alternate water sources in effect at the time the site development plan is filed for development of the property. Additionally, the landowner shall work with the City to identify methods to use additional alternative water sources to the greatest extent feasible, including but not limited to, connecting to the City's reclaimed water if reclaimed water infrastructure is available within 500 ft. of the property and designing all new buildings in a manner that will incorporate the use of alternative water supplies.”**

#### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

58. C14-2021-0032 6610 Shelton Road-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6610 Shelton Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To be heard June 1, 2021. Owner/Applicant: City of Austin (Jerry Rusthoven). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1, District 3.

**This item was withdrawn. See item 104.**

59. C14-2021-0048 - Moore's Crossing Industrial Park, Tract 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6300 Elroy Road and 6213 South FM 973 Road (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SR Development Inc. (Bill Gurasich). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

**This item was withdrawn. See item 105.**

60. C14-2021-0049 - Moore's Crossing Industrial Park, Tract 2 - Conduct a public hearing and approve an ordinance amending City Code City Code Title 25 by rezoning property locally known as 6505 South FM 973 Road (Onion Creek Watershed). Applicant's Request: To rezone from community commercial (GR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SR Development Inc. (Bill Gurasich).

Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.  
District(s) Affected: District 2.

**This item was withdrawn. See item 106.**

61. C14-2021-0026 - Urbana I - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the northwest corner of Plaza Drive at Wedgewood Drive (Walnut Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Big Opp Zone, LLC, (Stacy Dukes-Rhone). Agent: Husch Blackwell, LLP, (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 1.

**This item was withdrawn. See item 107.**

62. C14-2021-0027 - Urbana II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11501, 11503, 11505, 11507, 11509, 11511, 11513, 11601 Wedgewood Drive and 914, and 1000 ½ Braker Lane (Walnut Creek Watershed). Applicant's Request: To rezone from single-family residence, small lot (SF-4A) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Owner/Applicant: Big Opp Zone, LLC, (Stacy Dukes-Rhone). Agent: Husch Blackwell, LLP, (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 1.

**This item was withdrawn. See item 108.**

63. C14-2021-0028 - Urbana III - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11300, 11302, 11304, 11306, 11308, 11310, 11400, 11402, 11404, 11406, and 11408 Wedgewood Drive (Walnut Creek Watershed). Applicant's Request: To rezone from single-family residence standard lot (SF-2) district zoning and single-family residence small lot (SF-4A) district zoning to multifamily residence low density (MF-2) district zoning for Tract 1 and from community commercial-conditional overlay (GR-CO) combining district zoning and single family residence small lot (SF-4A) to community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Owner/Applicant: Big Opp Zone, LLC, (Stacy Dukes-Rhone). Agent: Husch Blackwell, LLP, (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 1.

**This item was withdrawn. See item 109.**

64. NPA-2021-0017.01 - 7113 Burnet - Conduct a public hearing and approve an ordinance amending Ordinance No. 20040401-Z-2, the Crestview/Wooten Combined Neighborhood Plan, an element to the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 7113 and 7115 Burnet Road (Shoal Creek Watershed) from Commercial to Mixed Use land use. Staff recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on June 8, 2021. Owner/Applicant: CSW Cart, Inc. Agent: Armbrust & Brown, PLLC (Michael Gaudini). City Staff: Maureen Meredith, Housing and Planning Dept. (512) 974-2695. District(s) Affected: District 7.  
**This item was withdrawn. See item 110.**
65. C14-72-032(RCT) - 7113 Burnet Rd - Conduct a public hearing and approve the termination of a restrictive covenant on property locally known as 7113 and 7115 Burnet Road (Shoal Creek Watershed). Staff Recommendation: To grant termination of the Restrictive Covenant. Planning Commission Recommendation: To be heard on June 8, 2021. Owner/Applicant: CSW Cart, Inc., (Robert O'Farrell). Agent: Armbrust & Brown, PLLC., (Michael J. Gaudini, Michael J. Whellan). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.  
**This item was withdrawn. See item 111.**
66. C14-2021-0044 - 7113 Burnet Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7113 and 7115 Burnet Road (Shoal Creek Watershed). Applicant's Request: To rezone from commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, and limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on June 8, 2021. Owner/Applicant: CSW Cart, Inc., (Robert O'Farrell). Agent: Armbrust & Brown (Michael Gaudini, Michael J. Whellan). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.  
**This item was withdrawn. See item 112.**
67. C14-2021-0025 - 601, 603 West 14th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 601 and 603 West 14th Street (Shoal Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO). Owner: 14-Realty LP, (Elizabeth Osborne). Agent: Husch Blackwell, LLP., (Nikelle Meade). Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.  
**This item was withdrawn. See item 113.**
68. C14-2021-0017 - 5708 Springdale Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5708 Springdale Road (Little Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-

neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on June 8, 2021. Owner/Applicant: Willie C. Lewis. Agent: Drenner Group, PC (Leah Bojo). City Staff: Mark Graham, 512-974-3574. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 1.

**This item was withdrawn. See item 114.**

69. C14-2021-0041 - Anderson Lane Condos - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2001 and 2013 West Anderson Lane (Shoal Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Owner/Applicant: Evins Investments, LP/Legacy DCS (Cass Brewer). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.

**This item was withdrawn. See item 115.**

70. C14-2021-0035 - McLaurin Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1512 Damon Road (Williamson Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Erich Daniel McLaurin and Olivia Ann McLaurin. Agent: Masterplan (Karen Wunsch). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**This item was withdrawn. See item 116.**

71. C14-2021-0042 3115 Manor Road Residences- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2131 Theo Drive (Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: 3115 Manor MU, Ltd.(Bryan Cumby ). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was withdrawn. See item 117.**

72. C14-2021-0016 Northwind Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11122, 11204, 11208, and 11216 Cameron Road (Harris Branch Watershed). Applicant's Request: To zone from unzoned

(UNZ) to multifamily residence medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence medium density (MF-3) district zoning. Owner/Applicant: Schroeder Family Trust, Ester Schroeder, Kim N. Nguyen, Hai Nguyen, and DADMK Inc. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. Adjacent to District 1.

**This item was withdrawn. See item 118.**

73. C14-2021-0053 Sierra Cameron Acres-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7205 Cameron Road (Fort Branch Watershed). Applicant's Request: To rezone from neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Owner/Applicant: Sierra Cameron Acres, LLC (Matt Shaw). Agent: Thrower Design (A. Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was withdrawn. See item 119.**

74. C14-2021-0023.SH Anderson Creek Affordable Housing-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1701 East Anderson Lane (Little Walnut Watershed). Applicant's Request: To rezone from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning and rural residence-neighborhood plan (RR-NP) to community commercial-neighborhood plan (GR-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-neighborhood plan (GR-NP) combining district zoning. Owner/Applicant: 183 Apartment Site Ltd. (Patricia Ivy). Agent: Thrower Design (A. Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was withdrawn. See item 120.**

75. C14-76-083(RCA3)-7009 Ed Bluestein Blvd.- Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 7009 Ed Bluestein Boulevard (Walnut Creek Watershed). Staff Recommendation and Zoning and Platting Commission Recommendation: To grant an amendment to the restrictive covenant. Owner/Applicant: Rahimi Hassan and 726 LLC. Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was withdrawn. See item 121.**

76. C14-2021-0021 7009 Ed Bluestein Blvd.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7009 Ed Bluestein Boulevard (Walnut Creek Watershed). Applicant's Request: To rezone from family residence (SF-3) and community commercial (GR) to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Rahimi Hassan and 726 LLC. Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was withdrawn. See item 122.**

104. C14-2021-0032 6610 Shelton Road-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6610 Shelton Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Zoning and Platting Commission Recommendation: To be heard June 15, 2021. Owner/Applicant: City of Austin (Jerry Rusthoven). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.  
**This item was postponed to July 29, 2021 at the request of staff on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
105. C14-2021-0048 - Moore's Crossing Industrial Park, Tract 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6300 Elroy Road and 6213 South FM 973 Road (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SR Development Inc. (Bill Gurasich). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-105 for limited industrial services (LI) district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
106. C14-2021-0049 - Moore's Crossing Industrial Park, Tract 2 - Conduct a public hearing and approve an ordinance amending City Code City Code Title 25 by rezoning property locally known as 6505 South FM 973 Road (Onion Creek Watershed). Applicant's Request: To rezone from community commercial (GR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SR Development Inc. (Bill Gurasich). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-106 for limited industrial services (LI) district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
107. C14-2021-0026 - Urbana I - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the northwest corner of Plaza Drive at Wedgewood Drive (Walnut Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Big Opp Zone, LLC, (Stacy Dukes-Rhone). Agent: Husch Blackwell, LLP, (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-107 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

108. C14-2021-0027 - Urbana II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11501, 11503, 11505, 11507, 11509, 11511, 11513, 11601 Wedgewood Drive and 914, and 1000 ½ Braker Lane (Walnut Creek Watershed). Applicant's Request: To rezone from single-family residence, small lot (SF-4A) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Owner/Applicant: Big Opp Zone, LLC, (Stacy Dukes-Rhone). Agent: Husch Blackwell, LLP, (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-108 for multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2, as amended below, was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**The amendment was:**

**To reduce Tract 1 from 22.6 acres to 20.734 acres**

109. C14-2021-0028 - Urbana III - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11300, 11302, 11304, 11306, 11308, 11310, 11400, 11402, 11404, 11406, and 11408 Wedgewood Drive (Walnut Creek Watershed). Applicant's Request: To rezone from single-family residence standard lot (SF-2) district zoning and single-family residence small lot (SF-4A) district zoning to multifamily residence low density (MF-2) district zoning for Tract 1 and from community commercial-conditional overlay (GR-CO) combining district zoning and single family residence small lot (SF-4A) to community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning for Tract 2. Owner/Applicant: Big Opp Zone, LLC, (Stacy Dukes-Rhone). Agent: Husch Blackwell, LLP, (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-109 for multifamily residence low density (MF-2) district zoning for Tract 1 and community commercial-mixed use-vertical mixed use building-conditional**

**overlay (GR-MU-V-CO) combining district zoning for Tract 2 was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

110. NPA-2021-0017.01 - 7113 Burnet - Conduct a public hearing and approve an ordinance amending Ordinance No. 20040401-Z-2, the Crestview/Wooten Combined Neighborhood Plan, an element to the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 7113 and 7115 Burnet Road (Shoal Creek Watershed) from Commercial to Mixed Use land use. Staff recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on June 8, 2021. Owner/Applicant: CSW Cart, Inc. Agent: Armbrust & Brown, PLLC (Michael Gaudini). City Staff: Maureen Meredith, Housing and Planning Dept. (512) 974-2695. District(s) Affected: District 7.

**This item was postponed to July 29, 2021 at the request of the neighborhood on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

111. C14-72-032(RCT) - 7113 Burnet Rd - Conduct a public hearing and approve the termination of a restrictive covenant on property locally known as 7113 and 7115 Burnet Road (Shoal Creek Watershed). Staff Recommendation: To grant termination of the Restrictive Covenant. Planning Commission Recommendation: To be heard on June 8, 2021. Owner/Applicant: CSW Cart, Inc., (Robert O'Farrell). Agent: Armbrust & Brown, PLLC., (Michael J. Gaudini, Michael J. Whellan). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.

**This item was postponed to July 29, 2021 at the request of the neighborhood on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

112. C14-2021-0044 - 7113 Burnet Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7113 and 7115 Burnet Road (Shoal Creek Watershed). Applicant's Request: To rezone from commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, and limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on June 8, 2021. Owner/Applicant: CSW Cart, Inc., (Robert O'Farrell). Agent: Armbrust & Brown (Michael Gaudini, Michael J. Whellan). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.

**This item was postponed to July 29, 2021 at the request of the neighborhood on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

113. C14-2021-0025 - 601, 603 West 14th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 601 and 603 West 14th Street (Shoal Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO). Owner: 14-Realty LP, (Elizabeth Osborne). Agent: Husch

Blackwell, LLP., (Nikelle Meade). Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-113, with the following amendments, for downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on a 10-0 vote. Council Member Tovo recused.**

**The amendments were:**

**Prohibition on pawn shop and bail bond uses.**

**Liquor sales are a conditional use.**

114. C14-2021-0017 - 5708 Springdale Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5708 Springdale Road (Little Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on June 8, 2021. Owner/Applicant: Willie C. Lewis. Agent: Drenner Group, PC (Leah Bojo). City Staff: Mark Graham, 512-974-3574. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 1.

**This item was postponed to July 29, 2021 at the request of staff on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

115. C14-2021-0041 - Anderson Lane Condos - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2001 and 2013 West Anderson Lane (Shoal Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Owner/Applicant: Evins Investments, LP/Legacy DCS (Cass Brewer). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-115 for community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

116. C14-2021-0035 - McLaurin Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1512 Damon Road (Williamson Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning.

Owner/Applicant: Erich Daniel McLaurin and Olivia Ann McLaurin. Agent: Masterplan (Karen Wunsch). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-116 for family residence (SF-3) district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

117. C14-2021-0042 3115 Manor Road Residences- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2131 Theo Drive (Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: 3115 Manor MU, Ltd.(Bryan Cumby ). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-117 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

118. C14-2021-0016 Northwind Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11122, 11204, 11208, and 11216 Cameron Road (Harris Branch Watershed). Applicant's Request: To zone from unzoned (UNZ) to multifamily residence medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence medium density (MF-3) district zoning. Owner/Applicant: Schroeder Family Trust, Ester Schroeder, Kim N. Nguyen, Hai Nguyen, and DADMK Inc. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. Adjacent to District 1. District(s) Affected: District 1.

**This item was postponed indefinitely at the request of staff on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

119. C14-2021-0053 Sierra Cameron Acres-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7205 Cameron Road (Fort Branch Watershed). Applicant's Request: To rezone from neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Owner/Applicant: Sierra Cameron Acres, LLC (Matt Shaw). Agent: Thrower Design (A. Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-119 for general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

120. C14-2021-0023.SH Anderson Creek Affordable Housing-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1701 East Anderson Lane (Little Walnut Watershed). Applicant's Request: To rezone from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning and rural residence-neighborhood plan (RR-NP) to community commercial-neighborhood plan (GR-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-neighborhood plan (GR-NP) combining district zoning. Owner/Applicant: 183 Apartment Site Ltd. (Patricia Ivy). Agent: Thrower Design (A. Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.  
**This item was postponed to July 29, 2021 at the request of the neighborhood on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
121. C14-76-083(RCT)-7009 Ed Bluestein Blvd.- Conduct a public hearing and approve a restrictive covenant termination on property locally known as 7009 Ed Bluestein Boulevard (Walnut Creek Watershed). Staff Recommendation and Zoning and Platting Commission Recommendation: To grant the amendment of the restrictive covenant. Owner/Applicant: Rahimi Hassan and 726 LLC. Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.  
**The public hearing was conducted and a motion to close the public hearing and approve the restrictive covenant termination was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
122. C14-2021-0021 7009 Ed Bluestein Blvd.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7009 Ed Bluestein Boulevard (Walnut Creek Watershed). Applicant's Request: To rezone from family residence (SF-3) and community commercial (GR) to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Rahimi Hassan and 726 LLC. Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-122 for community commercial-mixed use (GR-MU) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**
123. C14-2020-0145 2700, 2716, 2726 E. 5th Street Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2700, 2716, and 2726 East 5th Street (Lady Bird Lake Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owners/Applicants: 2700 East 5th JV LLC and Burnup Sims of Texas. Agent: Drenner Group PC (Amanda Swor) City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-123 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

124. C14-2021-0036 - HWY 290 & 1826 Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a property locally known as 7912 W. US HWY 290 (Williamson Creek Watershed-Barton Springs Zone). Applicant request: To rezone from rural residence (RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Planning Commission Recommendation: To be heard on June 8, 2021. Owner: Speedy Stop Food Stores LLC (Joshua Teinert). Agent: Drenner Group PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237. This action concerns land located in the Barton Springs Zone. District(s) Affected: District 8.  
**This item was postponed to July 29, 2021 at the request of staff on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

125. C14-2021-0038 - Pond Springs Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning a property locally known as 13171 Pond Springs Road (Lake Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office (GO) district zoning. Owner/Applicant: Lorraine Rae Bier. Agent: Keepers Land Planning (Ricca Keepers). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-125 for general office (GO) district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

127. C14-2021-0050 - Southpark Meadows Plaza - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9505 Alice Mae Lane (Onion Creek Watershed; Slaughter Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner: Southpark Meadows Plaza, LP (Mitchell Kalogridis). Agent: Cunningham-Allen, Inc. (Richard G. Couch). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-127 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on Council Member Ellis' motion, Mayor Pro Tem Harper-Madison's second on an 11-0 vote.**

**AUSTIN HOUSING AND FINANCE CORPORATION MEETING**

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:13 p.m. See separate minutes.**

54. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

**Mayor Adler reconvened the Council Meeting at 3:14 p.m.**

**Mayor Adler recessed the meeting to go into Executive Session at 3:16 p.m. without objection.**

### **EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

56. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**Withdrawn.**
77. Approve a resolution adopting the American Rescue Plan Act Spending Framework and authorizing the City Manager to make the necessary allocations. Strategic Outcome(s): Government that Works for All.  
**Discussion occurred.**
97. Discuss Austin Energy generation resource issues (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).  
**Discussion occurred.**
98. Discuss legal issues related to HB 1900, relating to municipalities that adopt budgets that defund municipal police departments. (Private consultation with legal counsel -Section 551.071 of the Government Code).  
**Withdrawn.**
99. Discuss legal and real estate matters related to the purchase, exchange, lease, or value of an interest in real property and improvements related to the motel conversion strategy to provide services, shelter, and/or housing (Private consultation with legal counsel -Section 551.071 of the Government Code and Real property -Section 551.072 of the Government Code).  
**Discussion occurred.**
100. Discuss real estate and legal matters related to the purchase, exchange, lease or value of an interest in real property and improvements to be used for historic preservation or affordable housing (Real property -Section 551.072 of the Government Code and Private consultation with legal counsel -Section 551.071 of the Government Code).  
**Withdrawn.**

Mayor Adler reconvened the Council Meeting at 5:39 p.m. Council Members Ellis, Kelly, Renteria, and Tovo were off the dais.

**DISCUSSION ITEMS CONTINUED**

77. Approve a resolution adopting the American Rescue Plan Act Spending Framework and authorizing the City Manager to make the necessary allocations. Strategic Outcome(s): Government that Works for All.

**A motion to approve the resolution with the following revised Exhibit A allocations was made on Council Member Alter’s motion, seconded by Council Member Tovo. The revised allocations were:**

**Health**

COVID – APH	\$44.3 million
Navigators	\$0.5 million
Colony Park Sustainable Community Health Center	\$1.5 million

**Homelessness**

Homelessness General (incl. HEAL, “3k in 3Yr”)	\$88.6 million
Grant: HOME	\$11.4 million
Emergency Shelter	\$4.2 million
Capacity Building	\$0.5 million
Homelessness: Workforce (WFS, TOOF, etc.)	\$2 million

**Economic Development**

Childcare/Childhood/Family Connects	\$11 million
Workforce: General (WFS, Capitol Idea, etc.)	\$15 million
Workforce: Austin Civilian Conservation Corps (ACCC)	\$5 million
Workforce: ACCC (Homeless and/or Creative Sector Focus)	\$1 million

**Resilience**

Food Security/Food Access	\$3 million
Resilience Hubs	\$3 million

**Creative Sector**

Non-Profit Emergency Relief – Arts/Music	\$2 million
Arts	\$6 million
Music	\$4 million

**Emergency Relief**

Rental Assistance	\$35.3 million
Individual Assistance	\$6.7 million

**Contingency**

Excess over 12% in Budget Stabilization Reserve	\$18.5 million
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Total \$263.5 million

A motion to amend the resolution as follows was made by Council Member Tovo and accepted without objection. The amendments were:

Add the following additional Whereas clauses:

**“WHEREAS,**

**In 2020, an estimated 1,879 individuals experiencing homelessness were housed through the combined efforts of the City of Austin, nonprofits, and other housing partners. The City of Austin alone allocated nearly \$69 million in Fiscal Year 2021 for social service contracts, housing vouchers, and other programs related to homelessness, and with additional investments related in large part to hotel acquisitions, the estimated total for 2020-2021 is \$92.5 million. In addition, the COVID pandemic necessitated additional public health intervention measures including food distribution and leases for non-congregate space and associated services for an estimated total expenditure that exceeded \$17 million by May 2021.**

**WHEREAS,**

**This Spring several organizations (Downtown Austin Alliance, the Greater Austin Chamber of Commerce, and the Ending Community Homelessness Coalition, and others) convened a group that included individuals with lived experience, social justice advocates, social service providers, representatives from the business sector, and selected other community members and city staff to participate in focused conversations related to homelessness. “The Summit to Address Unsheltered Homelessness in Austin,” resulted in the ambitious goal of housing an additional 3,000 individuals over the next three years, building on the existing community investments in homelessness and providing a path to ending homelessness in Austin.**

**WHEREAS,**

**The Summit work estimates costs associated with expanding the permanent housing system necessary to house an additional 3,000 individuals within three years at \$515.1 million. (Note this figure does not appear to include funding for additional shelter, crisis beds, or designated camping areas.) Based on an understanding that \$222.1 million of additional funding has already been committed or is anticipated, Summit leadership have set a goal of identifying public funding and raising philanthropic dollars for a total increased investment of \$300 million.”**

Add the following Be It Resolved clauses to read:

**“BE IT RESOLVED BY THE CITY OF AUSTIN CITY COUNCIL:**

**The Council affirms its intent to identify \$106.7 million within the American Rescue Plan Act allocation to expand housing and services for individuals experiencing homelessness. With the exception of the funding for Emergency Shelter (\$4.2 million),**

Capacity Building (\$.5 million), Workforce: Homelessness (\$2 million), HOME (\$11.4 million), and an additional \$5 million from the general homelessness fund, the American Rescue Plan Act allocation for Fiscal Year 2021 shall remain in a reserve fund designated for this purpose, in a manner similar to the Council creation of the Pay for Success Reserve Fund Operating Budget, until completion of the process described below. The City's allocation will be contingent on external partners committing or securing funding of at least \$200 million to match this more than \$100 million investment.

**BE IT FURTHER RESOLVED:**

Council signals its intent to review and affirm or revise this framework as appropriate and necessary, including making funding shifts in response to factors that include the following:

- external funding commitments
- other budgetary and funding processes
- availability of other possible sources of more restrictive funding (such as the Waller Creek TIRZ)

In addition, Council will review and affirm or revise this framework prior to receiving the American Rescue Plan Act allocation for Year 2.

**BE IT FURTHER RESOLVED:**

While the Summit proposal is based on an in-depth financial model as well as considerable expert research (including from the City of Austin's Homeless Strategy Officer), the information presented publicly does not yet include that level of detail. The City Manager is directed to engage the following process so that City Council, the public, and potential funding entities can clearly identify and support the proposed investments and intended outcomes.

**Funding Plan**

At the earliest possible date but no later than the August 24, 2021, work session – and prior to proposing contracts in excess of a cumulative \$10 million – the City Manager shall do the following:

Designate appropriate city staff from Financial Services, Austin Public Health, and the Homeless Strategy Office to review the information created within the Summit to affirm or revise financial assumptions, funding recommendations, and other related information.

Using the Summit work as appropriate, on that same date the City Manager shall present a detailed funding plan to house an additional 3,000 individuals over three years. This Funding Plan shall build on the existing City investment of approximately \$70 million annually and the current public/nonprofit achievements of housing approximately nearly 2,000 individuals each year.

At a minimum, this Funding Plan shall:

- describe new or expanded investments proposed within the general categories of Crisis Services, Core Housing Programs, Other Services, System Capacity Building, and Capital Investment
- explain the assumptions that form the basis for the financial model
- include expected numbers of individuals served within each subcategory
- explore other eligible sources of city available funding to meet these needs
- identify a process and timeline for measuring results and sharing them with the public

**This Funding Plan shall also:**

- detail existing city financial investments
- include expected numbers of individuals served within each category and contract
- provide contracted dates of service
- identify current funding source

#### **Fundraising Plan**

**The City Manager shall request that Summit partners provide the following:**

- a development plan with fundraising goals for private, public, foundation, and individual contributors and a draft timeline for meeting those goals
- names of individuals who will continue to serve in positions of Summit leadership and a description of the group's decision-making process

**BE IT FURTHER RESOLVED:**

#### **Public meetings**

Prior to September 1, 2021, or to proposed spending totaling more than \$10 million from the general homelessness ARPA fund, the City Manager shall create a SpeakUp Austin! page and shall hold a minimum of two City of Austin community meetings to discuss the overall plan and intended American Rescue Plan Act investments and to solicit public feedback.

The City Manager shall use this feedback to inform recommendations and, as soon as feasible, the Manager shall return to Council with any recommended revisions to the Spending Plan.

**BE IT FURTHER RESOLVED:**

#### **Spending authority**

The City Council affirms its intent to review and retain its authority to deliberate and make final decisions on all contracts proposed to be funded from the American Rescue Plan Act and in excess of the City Manager's spending authority. As noted above, Council

also affirms its intent to revise this Spending Plan as needed to respond and to accommodate newly identified needs.

**BE IT FURTHER RESOLVED:**

**Local Government Corporation**

Resolution 20190808-077 called for the creation of a Local Government Corporation to assist in raising private philanthropic dollars for homelessness housing and services. The resolution defined the LGC's scope of work as that which would support the City's Action Plan to End Homelessness; directed the City Manager to engage stakeholders in clarifying the scope, exploring the feasibility of classifying the LGC as a 501(c)(3), and filing the required documents with the City Clerk by November 1, 2019; and directed that a representative from the Continuum of Care consortium, a private business sector representative, and a representative from the Downtown Austin Alliance be among the members of the initial board. This LGC has not yet been established, though the City Manager has the Council direction he needs to engage in conversations with stakeholders about such an LGC's recommended scope and purpose. The City Council would retain the authority to affirm such an LGC's scope and responsibilities and to designate appointees.

The City Manager shall provide regular updates to the Public Health Committee (via memo if necessary) about the current and expanded investments toward ending homelessness in Austin."

Council Member Kitchen offered the following amendment to the amendment that was accepted without objection. The amendment to the amendment was to amend the first three paragraphs *Funding Plan* section of the second Be It Further Resolved clause to read:

**"Funding Plan**

At the earliest possible date but no later than July 1, 2021 – and prior to proposing contracts in excess of a cumulative \$10 million – the City Manager shall do the following:"

Designate appropriate city staff from Financial Services, Austin Public Health, and the Homeless Strategy Office to review the information created within the Summit to affirm or revise financial assumptions, funding recommendations, and other related information.

Using the Summit work as appropriate, on July 15, 2021, the City Manager shall present a detailed funding plan to house an additional 3,000 individuals over three years. This Funding Plan shall build on the existing City investment of approximately \$70 million annually and the current public/nonprofit achievements of housing approximately nearly 2,000 individuals each year."

Council Member Kitchen offered the following amendment that was the accepted without objection. The amendment was to add an additional Be It Further Resolved clause to read:

**“Be It Further Resolved,**

**The City Manager is directed to explore with Medicaid, Medicare, and Medical Assistance Program (MAP) payors, including Integral Care, Central Health, Sendero Health Plans and managed care organizations, the opportunities for reimbursement of:**

- **health and mental health services, including substance use disorder services and social services, and**
- **housing services related to the social determinants of health such as crisis shelter, rapid exit programs, rapid rehousing, permanent supportive housing or other housing.**
- **other services related to social determinants of health which affect unhoused persons**

**The City Manager is also directed to explore opportunities for collaboration on investing in infrastructure for these and related services.**

**The City Manager is directed to report back to the City Council with progress on these discussions with payors when reporting back to Council on other opportunities for funding.”**

**Council Member Casar offered the following amendment that was accepted without objection. The amendment was to add a Be It Further Resolved clause to read:**

**“Be It Further Resolved,**

**The City Manager is directed to bring forward a budget amendment if the rental assistance funds will be fully expended before December 31, 2021, and if such funds are needed to prevent widespread eviction. The City Manager should flag \$6 million in City funds that could be brought forward in this way if necessary. Rental assistance dollars in the adopted framework must be available in 2021.”**

**A motion to amend the resolution as follows was approved without objection on Council Member Fuentes’ motion, Council Member Renteria’s second. The amendment was to add two new Be It Further Resolved clauses to read:**

**“Be It Further Resolved,**

**The City Manager is directed to adopt the Success by 6 Coalition supplemental recommendation to allocate \$1,500,000 in American Rescue Plan funds dedicated to Early Childhood and Education to the Del Valle Independent School District to expand access to dual-language full-day Pre-K for 4-year-old students in Del Valle. The City shall fund the entire amount if the County does not contribute.**

**Be It Further Resolved,**

**The City Manager is directed to consider allocation of the American Rescue Plan funds dedicated to food and housing insecurity to the following initiatives and programs:**

- **The adoption of the ATCFPB’s Recommendation No 20210405-4.a.i.i to Fund a Community-Supported Food System Plan;**

- The planning, designing, and beginning of operations of a least 1 new community-owned and/or community-controlled grocery store in an area lacking healthy food retail;
- The response to on-going food access needs resulting from the COVID-19 pandemic through funding a strategically targeted program in the Eastern Crescent that delivers on good health outcomes;
- The dedication of seed funding for the planning, designing, and building of a network of emergency regional food hubs;
- The consideration of food access needs in advance of future disasters and disruptions through creation of an emergency food plan and the development of contracts for emergency food resources during disasters and other disruptions; and
- The funding of a city-wide food recovery pilot program (1 year).”

Council Member Alter offered the following amendment that was accepted without objection. The amendment was to add the following Be It Further Resolved clauses to read:

“Be It Further Resolved,

The Manager is directed to provide Council with a report of any funding Council has previously allocated for homelessness that staff would recommend be redirected to meet the needs initially identified to be funded using our American Rescue Plan Act allocation. The report should be presented to Council in conjunction with the Manager’s budget proposal.

Be It Further Resolved,

The Manager is directed to notify Council if any public health related spending from our allocation of the American Rescue Plan Act is less than the original projections and include recommendations on how those savings can best be spent to serve other community needs.

Be It Further Resolved,

The Manager is directed to ensure that Austin Energy Customer Assistance programs coordinate with relevant city departments, our navigators, and existing external partners to maximize opportunities to connect community members with financial resources and social services at the local, state, and federal level such as SNAP enrollment.

Be It Further Resolved,

The Manager is directed to provide Council and the public with a report of early outcomes of our American Rescue Plan Act and other related allocations.

Be It Further Resolved,

The Manager is directed to implement our deployment of American Rescue Plan Act spending related to homelessness in a manner that maximizes opportunities to leverage funding matches from private, philanthropic or other government funding sources to help address homelessness in our community.

**Be It Further Resolved,**

The following direction does not supersede any other direction with respect to the childcare/childhood funds. The Manager is directed to begin implementation of the childcare/childhood spending informed by an understanding of the investments anticipated by Travis County in this sector. In partnership with other governmental units and community partners, it is Council's intention to accomplish the recommendations of Success by Six/United Way as presented in the following documents:

- a) Transforming the ATX Early Childhood System
- b) Del Valle ISD Pre-K Access
- c) Family Connects
- d) AISD Supplemental
- e) United Way: Rebuilding Systems: Investments in Shovel-Ready Projects"

A motion to amend the resolution as follows was approved without objection on Council Member Pool's motion, Council Member Kelly's second. The amendment was:

Add a Be It Further Resolved clause reaffirming the goals and set forth in Resolution No. 20210520-060 with direction to the City Manager to provide a plan to Council for additional funding for grants to Austin music professionals, organizations, and enterprises up to \$10 million as well as Austin artists, arts groups, and non-profit arts organizations up to \$15 million, consistent with the resolution. The City Manager should identify funding sources that may not be out of the ARPA funds to reach those goals.

Council Member Tovo offered the following amendment that was accepted without objection. The amendment was to add the following Be It Further Resolved clauses:

**"BE IT FURTHER RESOLVED,**

Historic Preservation Council commits to recovering the lost legacy historic preservation funding from the Convention Center Capital Reserves and to exploring the extent to which other Hotel Occupancy Taxes that exist within reserves can be used toward potential historic acquisitions as legal and feasible.

**BE IT FURTHER RESOLVED,**

Creative Sector To the extent possible, the City Council desires to see the funding within the creative arts not designated for nonprofit emergency relief used to support programs that benefit writers, artists, live entertainment workers, and musicians, while also providing innovative public programs, including potentially artist-in-residence partnerships with area schools and some of the other innovative ideas described in the City's 2009 CreateAustin Cultural Plan.

**BE IT FURTHER RESOLVED,**

The City Manager is directed to prioritize any unspent funds within the "Resilience" category to Food Security / Food Access. The City Manager should look to allocate this funding to the highest impact investments within the revised Nourish Austin proposal."

**Resolution No. 20210610-077 was approved, as amended, on Council Member Alter's motion, Council Member Tovo's second on an 11-0 vote.**

78. Approve an ordinance amending the Fiscal Year 2020-2021 Financial Services Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to appropriate an amount not to exceed \$49,400,000 from the U.S. Department of Treasury, available through the American Rescue Plan Act, for municipal purposes related to the Coronavirus disease outbreak and recovery efforts. Strategic Outcome(s): Government that Works for All.

**Ordinance No. 20210610-078 was approved on Council Member Ellis' motion, Council Member Renteria's second on an 11-0 vote.**

91. Approve an ordinance amending the Fiscal Year 2020-2021 General Fund Emergency Reserve Fund (Ordinance No. 20200812-001) to appropriate an amount not to exceed \$20,000,000 for the Relief of Emergency Needs for Tenants (RENT) Rental Assistance Program; and relating to coordinating with Travis County on rental assistance programs. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Sabino 'Pio' Renteria.

**Ordinance No. 20210610-091 was approved, as amended below, on Council Member Casar's motion, Council Member Fuentes's second on an 11-0 vote.**

**The amendments were:**

**Change the appropriation limit to \$6,700,000**

**“The City Manager is directed to use other available funds before using the funds appropriated by this ordinance, to the extent feasible. If additional funds are needed prior to the end of the calendar year, the City Manager is directed to return to Council with a budget amendment to provide the funds needed to prevent widespread eviction.”**

2. Approve Service Extension Request No. 4652 for wastewater service to a 34.4 acre tract located at 11213 FM 620 within the Drinking Water Protection Zone, partially within the City's Full-Purpose Jurisdiction, partially within the City's 2-mile Extra-Territorial Jurisdiction, and Austin Water's service area. June 2, 2021 - Recommended by the Water and Wastewater Commission on an 8-1 vote. Strategic Outcome(s): Government That Works for All.

**This item was postponed to July 29, 2021 on Council Member Pool's motion without objection.**

17. Approve a resolution adopting the City of Austin Hazard Mitigation Action Plan Update. Strategic Outcome(s): Safety.

**Resolution No. 20210610-017 was approved on Mayor Adler's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Alter abstained.**

21. Approve the adoption of the George Washington Carver Museum, Cultural and Genealogy Center Facility Expansion Plan. District(s) Affected: District 1. Strategic Outcome(s): Health and Environment; Culture and Lifelong Learning.

The motion to approve adoption of the George Washington Carver Museum, Cultural and Genealogy Center Facility Expansion Plan, as amended below, was approved on Mayor Pro Tem harper-Madison's motion on an 11-0 vote.

The following amendment was offered by Mayor Pro Tem Harper-Madison and accepted without objection. The amendment was:

On page 38 after the sentence that begins "Further design work should explore and underground parking structure,..." insert ", because one of the goals of the Austin strategic mobility plan is to right-size future parking supply, to encourage sustainable trip options. The size of the garage and the amount of parking provided should be reassessed when funding the expansion plan is secured."

### ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

126. C14-2021-0056 - 1609 Matthews Lane Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1609 Matthews Lane (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 1, 2021. Owner: CMCBH2, LLC (Ben Heimsath). Agent: Thrower Design (Victoria Haase). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

### DISCUSSION ITEMS CONTINUED

96. Approve a resolution directing the City Manager to use a portion of the Austin Convention Center's Capital Budget to solicit the most innovative ideas in programming and placemaking for a new convention center that would be - like its companion civic building to the west, the Austin Central Library -- a landmark of great distinction, a bustling and vital public gathering place, and a point of pride for the community. Council Sponsors: Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Vanessa Fuentes, Council Member Leslie Pool. **Resolution No. 20210610-096 was approved, with the following amendment, on Council Member Tovo's motion, Council Member Pool's second on an 11-0 vote.**

**The following amendment was offered by Council Member Tovo and accepted without objection. The amendment was to amend page three and replace the two Be It Further Resolved with:**

#### **BE IT FURTHER RESOLVED:**

**The City Manager is directed to incorporate the following into the REQUEST FOR STATEMENTS OF QUALIFICATIONS RELATIVE TO THE SELECTION OF PROFESSIONAL SERVICES for a new Convention Center:**

The City Council seeks to work with a design team capable of delivering a world class design befitting a city of Austin's size and prominence. The Convention Center design shall provide more than just functional spaces for conventions; the design shall incorporate the most innovative ideas in programming and placemaking and shall aim to create a civic building that draws and serves Austinites as well as visitors. The City Council affirms its intention that the Convention Center be, like its companion civic building to the west, the Austin Central Library, a landmark of great distinction, a bustling and vital public gathering place, and a point of pride for the community.

The Convention Center design should engage the disparate elements of the eastern quadrant of Downtown identified in the Palm District Planning Initiative, including the iconic Rainey Street Historic District, Palm Park and Palm School, the Red River Cultural District, the Innovation District, Mexican-American Heritage Corridor, Project Connect and the Downtown Station, Waller Creek, and historic Brush Square, and the design shall seize the opportunities and solve for the challenges and conflicts presented by these multiple uses.

Respondents must exhibit knowledge of and be committed to the goals of the Palm District Planning Initiative, the UT Center for Sustainable Development's "Frameworks for Placemaking," the Urban Land Institute's Technical Advisory Panel (in response to Council Resolution No. 20141211-218); the Downtown Austin Alliance-commissioned 2020 Urban Land Institute Advisory Services Panel Report for the I-35 Corridor; the Waterloo Greenway/Waller Creek Design Plan; the Downtown Austin Alliance's Downtown Vision; and other City of Austin initiatives including citizen input in design processes, sustainability, Urban Design Guidelines, Great Streets, Art in Public Places, family-friendly features per policy direction in Resolution No. 20120301-051; and team participation by minority and women-owned businesses.

**SUSTAINABILITY/LEED CERTIFICATION:**

The new Convention Center will meet the requirements of the City's Green Building Policy to implement sustainable building practices necessary to conserve energy, water, and other natural resources; to promote human health and safety; and to create high quality enduring structures. The City Council directs that the new Convention Center be constructed, operated, and maintained in accordance with the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED™) Green Building Rating Systems with a minimum rating of Silver.

**BE IT FURTHER RESOLVED:**

That the City Manager is directed to immediately notify the Council upon issuance of the solicitation.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to establish an evaluation committee capable of assessing submissions with respect to programming, design, construction, and building performance goals as well as to Palm District placemaking goals. The evaluation committee should include the following membership, should they meet the minimum requirements:

**One member of the UT Center for Sustainable Development**

**One member from the Waterloo Greenway Conservancy**

**One member from the Downtown Austin Alliance**

**One member from City Staff representing the Palm District Planning Initiative**

5. Approve a resolution finding the use of the Construction Manager at Risk method of contracting, as authorized by Subchapter F Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Austin Convention Center Expansion Project to demolish and reconstruct portions of the existing Austin Convention Center and to expand the facility by constructing new elements. (Note: MBE/WBE goals will be established prior to issuance of this solicitation). Strategic Outcome(s): Economic Opportunity and Affordability, Government That Works for All, Culture and Lifelong Learning, Mobility.

**Resolution No. 20210610-005 was approved, with the following amendment, on Council Member Tovo's motion, Council Member Renteria's second on an 11-0 vote.**

**The following amendment was offered by Council Member Tovo and accepted without objection. The amendment was to add a Be It Further Resolved as follows:**

**BE IT FURTHER RESOLVED**

**The City Manager shall ensure that this project delivery method and any resulting contract does not preclude the possibility of private partnerships and/or a potential collaboration with Austin Economic Development Corporation.**

89. Approve a resolution amending Council's previous authorization to negotiate and execute all documents and instruments necessary or desirable to purchase in fee simple approximately 2 acres of land and a building containing approximately 47,355 square feet located at 10811 Pecan Park Blvd, Bldg #2, Austin, TX 78750, from Apple Pie Hotels, LLC, for a total amount not to exceed \$9,550,000, including closing costs. Council Sponsors: Mayor Steve Adler, Council Member Gregorio Casar, Council Member Paige Ellis, Council Member Vanessa Fuentes.

**No action was taken.**

93. Approve a resolution directing the City Manager to participate in the Capital Metro Equitable Transit Oriented Development Study and community engagement efforts; to develop an Equitable Transit Oriented Development Policy Plan to achieve specified goals, including, but not limited to identifying methods to address community displacement, exploring opportunities to fund affordable housing, creating diverse housing options near transit, and encouraging multimodal transportation; and identify potential funding for the policy plan development. Council Sponsors: Mayor Pro Tem Natasha Harper-Madison, Council Member Gregorio Casar, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Paige Ellis.

**Resolution No. 20210610-093 was approved with the following amendments, on Mayor Pro Tem Harper-Madison's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Kelly was off the dais.**

**The following amendments were offered and accepted without objection:**

Line 55 ... “of building 135,000 new housing units and preserving 10,000 affordable units over”

Line 58 ... “developments and the preservation of affordable housing that connect with diverse”...

Lines 69 – 78 ... “and as the Austin Strategic Housing Blueprint states, “when developing in transit corridors and nodes, every attempt should be made to ensure that development does not reduce transit ridership;” and

WHEREAS, the Austin Strategic Housing Blueprint states further that a “common pattern is that as transit is added, housing becomes more expensive. Wealthier residents move into the neighborhood, often pricing out existing core transit riders, while vehicle ownership becomes more common and transit ridership is actually reduced despite increases in density. Policies should encourage the preservation of affordable housing near transit corridors; and”

Lines 152 – 154 ... “amendments in the eTOD Study area, areas designated as TODs, and along the Metrorapid, Metrorail, and light rail lines include in the Project Connect initial investment.

Lines 162 – 164 ... “both measure the success of the City’s policies to encourage development and preservation of income-restricted and non-income restricted affordable housing (both multi-family and mobile homes)”

Lines 193 – 195 “b. Encourage the preservation and creation of income-restricted and on-income restricted affordable multi-family housing and mobile home communities and the...”

Lines 200 – 204 ... “disincentivize the redevelopment of income-restricted and naturally occurring non-income restricted affordable multi-family housing and mobile home communities around station areas vulnerable to gentrification and displacement, provides social and economic opportunity for current and future residents, and increases access to...”

Lines 209 – 212 “e. Options for entitlements that increase housing capacity while minimizing the displacement of residents of income-restricted and non-income restricted affordable multi-family housing and mobile home communities and maximizing...”

#### ZONING ORDINANCES / RESTRICTIVE COVENANTS CONTINUED

103. C814-2020-0104 - Springdale Green PUD - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 1011 and 1017 Springdale Road (Boggy Creek and Tannehill Branch Watersheds). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and rural residence-conditional overlay-neighborhood plan (RR-CO-

NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved planned unit development-neighborhood plan (PUD-NP) combining district zoning on April 22, 2021. Vote: 7-0. Second reading approved planned unit development-neighborhood plan (PUD-NP) combining district zoning on June 3, 2021. Vote: 10-0. Council Member Kelly off the dais. Owner/Applicant: AUS Springdale LLC (Phillip A. Verinsky). Agent: Armbrust and Brown, PLLC (Michael Whellan). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210610-103 for planned unit development-neighborhood plan (PUD-NP) combining district zoning with restrictions was approved on Council Member Renteria's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kelly was off the dais.**

**Restriction: Monies are to be restricted to council district number three and limited to a period of seven years, if after seven years the monies are not spent within district three they will revert back to the general housing trust fund.**

**Mayor Adler adjourned the meeting at 9:49 p.m. without objection.**

**The minutes were approved on this the 26<sup>th</sup> day of August 2021 on Council Member Pool's motion, Council Member Tovo's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the Dias.**